



PTO/SB/21 (05-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/612,329
	Filing Date	July 2, 2003
	First Named Inventor	Robert J. Telep, et al.
	Art Unit	3747
	Examiner Name	(To Be Assigned)
Total Number of Pages in This Submission	Attorney Docket Number	DKT 02110A (BWI-00080)

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO/SB/08a (3 pages); Copies of 48 U.S. Patents, 15 Foreign Patents; Return Receipt Postcard
Remarks Applicant believes no fee to be due for the attached filing, however, should additional fees be due in order to prevent the abandonment of this application, please consider this as authorization to charge Deposit Account No. 501612 (Warn, Burgess & Hoffmann, P.C.) for any such fees due. A duplicate copy of this document is enclosed for this purpose.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Warn, Burgess & Hoffmann, P.C. Philip R. Warn - Reg No. 32775
Signature	
Date	November 14, 2003

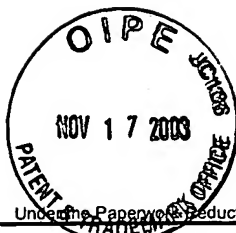
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Philip R. Warn - Reg. No. 32775		
Signature		Date	November 14, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08a (05-03)

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number	10/612,329
Filing Date	July 2, 2003
First Named Inventor	Robert J. Telep, et al.
Art Unit	3747
Examiner Name	(To Be Assigned)
Attorney Docket Number	DKT 02110A (BWI-00080)

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 6,534,793	03-18-2003	Heritier-Best	
		US- 6,418,892	07-16-2002	Donce et al.	
		US- 6,415,777	07-09-2002	Gagnon	
		US- 6,409,145	06-25-2002	Fong et al.	
		US- 2002/0066427	06-06-2002	McCoy et al.	
		US- 6,397,798	06-04-2002	Fiaccabrino	
		US- 6,390,079	05-21-2002	Gagnon et al.	
		US- 6,390,078	05-21-2002	Gee et al.	
		US- 6,382,151	05-07-2002	Pierik	
		US- 6,378,507	04-30-2002	Gagnon	
		US- 6,357,429	03-19-2002	Carnevale et al.	
		US- 6,311,677	11-06-2001	Cook et al.	
		US- 6,299,130	10-09-2001	Yew et al.	
		US- 6,295,975	10-02-2001	Yew et al.	
		US- 6,247,461	06-19-2001	Smith et al.	
		US- 6,230,742	05-15-2001	Bircann	
		US- 6,223,733	05-01-2001	Busato et al.	
		US- 6,217,001	04-17-2001	Gluchowski et al.	
		US- 6,213,447	04-10-2001	Bircann et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		FR2824380	11-08-2002	Tison		
		FR2821645	09-06-2002	Doreau et al.		
		FR2816660	05-17-2002	Nicole et al.		
		FR2812684	02-08-2002	Fiaccabrino et al.		
		FR2773847	07-23-1999	Carnevale et al.		
		FR2772429	06-18-1999	Heritier-Best		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08a (05-03)

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet **2** of **3**

Complete if Known

Application Number	10/612,329
Filing Date	July 2, 2003
First Named Inventor	Robert J. Telep, et al.
Art Unit	3747
Examiner Name	(To Be Assigned)
Attorney Docket Number	DKT 02110A (BWI-00080)

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 6,189,520	02-20-2001	Cook et al.	
		US- 6,170,476	01-09-2001	Cook et al.	
		US- 6,152,115	11-28-2000	Busato et al.	
		US- 6,138,652	10-31-2000	Cook et al.	
		US- 6,116,224	09-12-2000	Cook et al.	
		US- 6,109,302	08-29-2000	Bircann	
		US- 6,073,617	06-13-2000	Busato et al.	
		US- 6,006,732	12-28-1999	Oleksiewicz	
		US- 5,996,559	12-07-1999	Busato et al.	
		US- 5,996,551	12-07-1999	Schroder	
		US- 5,988,147	11-23-1999	Everingham	
		US- 5,979,866	11-09-1999	Baxter et al.	
		US- 5,960,776	10-05-1999	Everingham et al.	
		US- 5,957,117	09-28-1999	Everingham	
		US- 5,950,605	09-14-1999	Hussey et al.	
		US- 5,947,092	09-07-1999	Hussey et al.	
		US- 5,924,675	07-20-1999	Hussey et al.	
		US- 5,911,401	06-15-1999	Hrytzak et al.	
		US- 5,901,690	05-11-1999	Hussey et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		FR2748780	11-21-1997	Peth et al.		
		FR2727158	05-24-1996	Coste		
		FR2724976	03-29-1996	Coste et al.		
		EP0918925	04-03-2002	Peth et al.		
		EP0712998	03-05-2003	LaFleur		
		EP0588706	03-23-1994	Heritier-Best et al.		

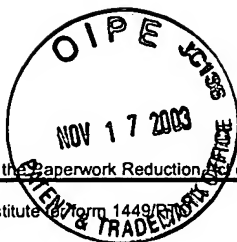
Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08A (08-03)

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Substitute for Form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/612,329
Filing Date	07/02/2003
First Named Inventor	Robert J. Telep, et al.
Art Unit	3747
Examiner Name	(To Be Assigned)
Attorney Docket Number	DKT 02110A (BWI 00080)

Sheet 3 of 3

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 5,722,634	03-03-1998	Hrytzak et al.	
		US- 5,704,585	01-06-1998	Hrytzak et al.	
		US- 5,699,664	12-23-1997	LaFleur	
		US- 5,669,364	09-23-1997	Everingham	
		US- 5,593,132	01-14-1997	Hrytzak	
		US- 5,588,414	12-31-1996	Hrytzak et al.	
		US- 5,511,531	04-30-1996	Cook et al.	
		US- 5,443,241	08-22-1995	Odaira et al.	
		US- 5,337,790	08-16-1994	Heritier-Best et al.	
		US- 245,662	08-16-1881	Rinderknecht	
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ "Number" ⁴ "Kind Code" ⁵ (if known)				
		JP8-232651	1996			
		WO97/43538	11-20-1997	Peth et al.		
		WO99/31372	06-24-1999	Heritier-Best		

Examiner
SignatureDate
Considered

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PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/612,329
Filing Date: 07/02/2003
Applicant: Robert J. Telep, et al.
Group Art Unit: 3747
Examiner: (To Be Assigned)
Title: GASEOUS FLUID METERING VALVE

Attorney Docket: DKT 02110A (BWI-00080)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION

The patents, publications and other information submitted for consideration by the Office (except unpublished U.S. patent applications) are listed on Form 1449 or PTO/SB/08a and 08b attached hereto.

II. COPIES

A. ☒ Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B. ☐ Any patents, publications or other information which are listed on Form 1449 or PTO/SB/08a and 08b or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

U.S. Filing Date

C. ___ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form-1449 or PTO/SB/08a and 08b for consideration by the Examiner and for listing on any patent resulting from this application. Since the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g))

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. ☒ Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. ___ A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

1. ___ See the attached foreign search report.
2. ___ English translations are provided for:
3. ___ Other:

C. ___ The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. ___ The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.

Filing Date

Art Unit

V. THIS IDS IS BEING FILED UNDER

A. ☒ 37 C.F.R. § 1.97(b): (check only one box)

1. ___ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.

2. ___ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.

3. ☒ before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

4. ___ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. ___ 37 C.F.R. § 1.97(c): (check only one box)

◦ before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. ___ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

2. ___ See the certification below. No fee is required.

C. ___ 37 C.F.R. § 1.97(d):

◦ after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. ___ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

A. ___ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)); or

B. ___ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the

knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

C. ☐ Some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. PAYMENT OF FEES (check only one box)

A. ☐ A check in the amount of \$180.00 is enclosed for the above-identified fee.

B. ☐ Please charge Deposit Account No. 501612 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 501612.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 501612.


Respectfully submitted,

WARN, BURGESS & HOFFMANN, P.C.
Attorneys for Applicant(s)

P.O. Box 70098
Rochester Hills, MI 48307
(248) 364-4300

Dated: November 14, 2003

PRW: kml
Enclosures

By: 
Philip R. Warn
Reg. No. 32775